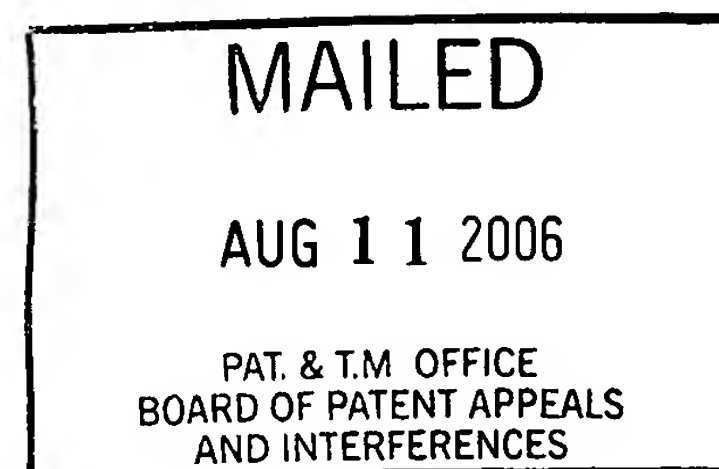


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAMES DUNMAN

Application No. 10/630,982



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on August 4, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The examiner has mailed an examiner's answer on May 10, 2006. In the Evidence Relied Upon section, page 2, paragraph (8), the examiner has stated, "No evidence is relied upon by the examiner in the rejection of the claims under appeal." A review of the file reveals that references were applied to the statement of rejections in the Grounds of Rejection section of the examiner's answer. Before further review, the examiner must submit a corrected examiner's answer that will include in the Evidence Relied Upon section, the list of references mentioned in the statement of rejections.

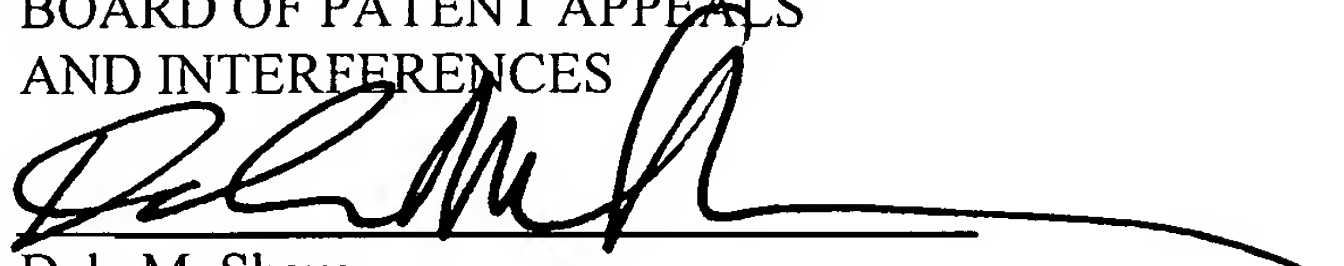
Application No. 10/630,982

Accordingly, it is

ORDERED that this application be returned to the examiner to: 1) vacate the examiner's answer and issue a revised Examiner's Answer having the missing references listed under the Evidence Relied Upon section; and 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', is written over a horizontal line.

Dale M. Shaw
Deputy Chief Appeal Administrator
(571) 272-9797

cc: Venable LLP
P.O. Box 34385
Washington, DC 20045-9998

DMS/tdl